This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claims 1-47 (canceled).

Claim 48 (currently amended): A method of conferring resistance to pathogenic fungi on a plant, the method comprising the steps of:

transforming a plant cell with an expression vector, wherein said expression vector comprises:

an expression cassette comprising a first plant promoter induced by stress operably linked to a DNA sequence encoding sarcotoxin 1a, wherein a DNA sequence encoding a signal peptide is fused and positioned between the first plant promoter and the DNA sequence encoding sarcotoxin 1a; and

a second plant promoter which is constitutively expressed and positioned adjacent to the first plant promoter, and

regenerating the ~~transformed~~ plant cell into a transgenic plant wherein the transgenic plant has enhanced resistance to pathogenic fungi as compared to a corresponding untransformed plant.

Claim 49 (previously amended): The method according to claim 48, wherein the pathogenic fungi are *Rhizoctonia solani, Pythium aphanidermatum,* and *Phytophthora infestans*.

Claims 50-51 (canceled).

Claim 52 (previously amended): The method according to claim 48, wherein said expression vector further comprises a drug resistance gene operably linked to the second plant promoter.

Claim 53 (currently amended): The method according to claim 48, wherein a plant gene is fused to the DNA sequence encoding sarcotoxin 1a via ~~the~~ a hinge region of a tobacco chitinase gene.

Claim 54 (currently amended): The method according to claim 48, wherein ~~a~~ the DNA sequence encoding ~~a~~ the signal peptide is from a plant gene ~~is fused to the DNA sequence encoding sarcotoxin 1a~~.

Claim 55 (currently amended): The method according to claim 48, wherein the promoter induced by stress is ~~the~~ a promoter of ~~the~~ a tobacco PR-1a gene.

Claim 56 (currently amended): The method according to claim 52, wherein the expression cassette further comprises ~~the~~ a terminator of ~~the~~ a tobacco PR-1a gene operably linked downstream of the DNA sequence encoding sarcotoxin 1a.

Claim 57 (currently amended): The method according to claim 48, wherein the second plant promoter is ~~the~~ a cauliflower mosaic virus 35S promoter.

Claim 58 (currently amended): A transgenic plant which is resistant to pathogenic fungi, the plant comprising an expression vector, wherein the expression vector comprises:

~~i)~~ a first expression cassette comprising a DNA sequence encoding sarcotoxin 1a operably linked to a promoter induced by stress, wherein a DNA sequence encoding a signal peptide is fused to and positioned between the promoter induced by stress and the DNA sequence encoding sarcotoxin 1a; and

~~ii)~~ a second expression cassette comprising a drug resistance gene operably linked to a constitutively expressed promoter,

wherein the first and second expression cassettes are positioned adjacent to each other, and wherein the transgenic plant has enhanced resistance to pathogenic fungi as compared to a corresponding untransformed plant.

Claims 59-61 (canceled).

Claim 62 (currently amended): The plant according to claim 58, wherein a plant gene is fused to the DNA sequence encoding sarcotoxin 1a via ~~the~~ a hinge region of a tobacco chitinase gene.

Claim 63 (currently amended): The plant according to claim 58, wherein ~~a~~ the DNA sequence encoding ~~a~~ the signal peptide is from a plant gene ~~is fused to the DNA sequence encoding sarcotoxin 1a in the first expression cassette~~.

Claim 64 (currently amended): The plant according to claim 58, wherein the promoter induced by stress is ~~the~~ a promoter of ~~the~~ a tobacco PR-1a gene.

Claim 65 (currently amended): The plant according to claim 58, wherein the first expression cassette further comprises ~~the~~ a terminator of ~~the~~ a tobacco PR-1a gene operably linked downstream of the DNA sequence encoding sarcotoxin 1a.

Claim 66 (currently amended): The plant according to claim 58, wherein the constitutively expressed promoter is ~~the~~ a cauliflower mosaic virus 35 S promoter.

Claim 67 (previously amended): The plant according to claim 58, wherein the expression vector further comprises a T-DNA region.